

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CAMBRIDGE PLACE INVESTMENT
MANAGEMENT INC.

Plaintiff,

v.

MORGAN STANLEY & CO., INC., *et*
al.

Defendants.

Civil Action No. 10-cv-11376-NMG

**ASSENTED-TO MOTION FOR EXTENSION OF TIME TO RESPOND TO
COMPLAINT AND JOINT MOTION FOR ENTRY OF SCHEDULING ORDER**

Defendant NovaStar Mortgage Funding Corporation hereby moves for additional time in which to respond to the Complaint, and, with Plaintiff Cambridge Place Investment Management Inc. ("CPIM"), jointly move for entry of a Scheduling Order in the above-captioned action. CPIM, through counsel, assents to this Defendant's motion for additional time to respond to the Complaint.

As grounds therefor, the parties state:

1. On August 19, 2010, Plaintiff and Defendants ACE Securities Corp., Asset Backed Securities Corporation, Barclays Capital Inc., BCAP LLC, Bear Stearns Asset Backed Securities I LLC, Citigroup Global Markets, Inc., Citigroup Mortgage Loan Trust Inc., CWABS, Inc., CWALT, Inc., Credit Suisse First Boston Mortgage Securities Corp., Credit Suisse Securities (USA) LLC, Deutsche Bank Securities, Inc., FBR Capital Markets & Co., FBR Securitization, Inc., Goldman, Sachs & Co., GS Mortgage Securities Corp., Morgan Stanley & Co. Inc., Morgan Stanley ABS Capital I Inc., Morgan Stanley Capital I Inc., Mortgage Asset Securitization Transactions,

- Inc., SACO I Inc., Saxon Asset Securities Company, Securitized Asset Backed Receivables LLC, Structured Asset Mortgage Investments II Inc., UBS Securities LLC, J.P. Morgan Securities, Inc., J.P. Morgan Acceptance Corporation I, Long Beach Securities Corp., Washington Mutual Mortgage Securities Corp., RBS Securities, Inc., Financial Asset Securities Corp., HSBC Securities (USA) Inc., HSI Asset Securitization Corporation, Fremont Mortgage Securities Corp., Merrill Lynch, Pierce, Fenner & Smith, Inc., Merrill Lynch Mortgage Investors, Inc., Countrywide Securities Corporation, Banc of America Securities LLC, Banc of America Mortgage Securities, Inc., Residential Funding Securities, LLC d/b/a GMAC RFC Securities, Residential Accredited Loans, Inc., Residential Asset Mortgage Products, Inc., Residential Asset Securities Corporation, Asset Backed Funding Corporation, Nationstar Funding LLC, and Stanwich Asset Acceptance Company L.L.C. filed an Assented To Motion for Extension of Time to Respond to Complaint and Joint Motion for Entry of Scheduling Order (ECF No. 98).
2. On August 24, 2010, Plaintiff and Defendant Popular ABS, Inc. filed an Assented To Motion for Extension of Time to Respond to Complaint and Joint Motion for Entry of Scheduling Order with identical terms as the August 19, 2010 assented-to motion (ECF No. 112), together, the “Prior Assented to Motions.”
 3. This Court granted the Prior Assented to Motions on September 1, 2010.
 4. Defendant NovaStar Mortgage Funding Corporation was served with the Complaint in this action on July 15, 2010, and an affidavit confirming that service was filed on August 6, 2010, in Suffolk County Superior Court for the Commonwealth of Massachusetts, Business Litigation Session.

5. Plaintiff and Defendant NovaStar Mortgage Funding Corporation agrees that the same extension of time to respond to the Complaint and Scheduling Order as proposed in the Prior Assented To Motions should apply to Defendant NovaStar Mortgage Funding Corporation.

WHEREFORE, the parties respectfully request that this Court:

1. Grant the instant motion to extend the time within which Defendant NovaStar Mortgage Funding Corporation must answer, move, or otherwise respond to the Complaint;
2. Grant the instant motion to enter an Order establishing the schedule set forth in the Prior Assented to Motions for Defendant NovaStar Mortgage Funding Corporation to respond to the Complaint; and
3. Grant such further relief as may be just and proper.

Respectfully submitted,

CAMBRIDGE PLACE INVESTMENT
MANAGEMENT INC.,
By its attorneys,

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Dated: September 17, 2010

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants, by first class mail, on September 17, 2010.

/s/ Phoebe S. Winder